



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-3503 FAX (603) 271-5171



July 3, 2002

Lois Mirbach
Adventures in Learning Daycare
18 Rockingham Road
Londonderry, NH 03053

LETTER OF DEFICIENCY# WSEB 02-50
CERTIFIED MAIL 7099 3400 0003 0689 6475

Subject: Londonderry - Public Water System: Adventures in Learning Daycare (EPA# 1395130)

Dear Ms. Mirbach:

The records of the Department of Environmental Services (DES) show that the Adventures in Learning Daycare water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit bacteria samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

February 2002 and May 2002

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

- By July 16, 2002**, submit a water sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325; and
2. In the future, submit routine water samples for bacteria analysis during the water system's scheduled sampling months of **February, May, September and November**.

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system failed to perform public notification for the following month:

February 2002

In view of the public notice violation, DES believes the deficiency can be corrected, and future violations prevented, by taking the following actions:

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By July 16, 2002, carry out public notice requirements for the February and May 2002 sampling violations; and

2. **By July 23, 2002**, provide proof of public notice to DES.

Pursuant to RSA 332-E, owners of non-transient, non-community water systems are required to have a certified operator. On May 21, 2002, DES sent you a letter notifying you that DES records show that Adventures in Learning Daycare does not have a certified operator and that failure to maintain a certified operator is considered a significant water system deficiency. The letter requested that you respond, in writing, by June 21, 2002, to inform DES of the name of the certified operator for your system. To date, DES has not received a response to the May 21, 2002 letter, thus placing the water system in violation of RSA 332-E.

In view of the certified operator violation, DES believes the deficiency can be corrected by taking the following action:

By July 16, 2002, notify DES, in writing, of the name and license number of the certified operator for the referenced water system.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Alan Leach by phone at (603) 271-2854 or by e-mail at aleach@des.state.nh.us, if you have any questions regarding this letter.

Sincerely,

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Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

cc: Gretchen Rule, DES Legal Unit
James Smith, Town of Londonderry Health Officer
DHHS, Child Care Licensing Bureau
EPA, Region 1